

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-05881-GHW**

Adhikaar et al v. United States Department of Homeland
Security et al
Assigned to: Judge Gregory H. Woods
Cause: 05:552 Freedom of Information Act

Date Filed: 06/24/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Adhikaar**

represented by **Matthew Keith Handley**
Handley & Anderson PLLC
718 7th Street NW
Washington, DC 20001
202-559-2411
Email: mhandley@hfajustice.com
ATTORNEY TO BE NOTICED

Plaintiff**New York Immigration Coalition**

represented by **Matthew Keith Handley**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant**United States Department of Homeland
Security**

represented by **Jennifer Ann Jude**
United States Attorney's Office SDNY
86 Chambers St.
New York, NY 10007
(212)-637-2663
Fax: (212)-637-2686
Email: jennifer.jude@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant**United States Department of State**

represented by **Jennifer Ann Jude**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**United States Immigration and
Customs Enforcement**

represented by **Jennifer Ann Jude**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**United States Citizenship and
Immigration Services**

represented by **Jennifer Ann Jude**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/24/2019	<u>1</u>	COMPLAINT against United States Citizenship and Immigration Services, United States Department of Homeland Security, United States Department of State, United States Immigration and Customs Enforcement. (Filing Fee \$ 400.00, Receipt Number ANYSDC-17125962) Document filed by Adhikaar, New York Immigration Coalition. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Handley, Matthew) (Entered: 06/24/2019)

		06/24/2019)
06/24/2019	<u>2</u>	FILING ERROR – PDF ERROR – CIVIL COVER SHEET filed. (Handley, Matthew) Modified on 6/25/2019 (jgo). (Entered: 06/24/2019)
06/24/2019	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) Modified on 6/25/2019 (jgo). (Entered: 06/24/2019)
06/24/2019	<u>4</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Immigration and Customs Enforcement, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) Modified on 6/25/2019 (jgo). (Entered: 06/24/2019)
06/24/2019	<u>5</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Citizenship and Immigration Services, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) Modified on 6/25/2019 (jgo). (Entered: 06/24/2019)
06/24/2019	<u>6</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of State, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) Modified on 6/25/2019 (jgo). (Entered: 06/24/2019)
06/24/2019	<u>7</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Adhikaar.(Handley, Matthew) (Entered: 06/24/2019)
06/24/2019	<u>8</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by New York Immigration Coalition.(Handley, Matthew) (Entered: 06/24/2019)
06/25/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT CIVIL COVER SHEET. Notice to attorney Matthew Keith Handley to RE–FILE Document No. <u>2</u> Civil Cover Sheet. The filing is deficient for the following reason(s): Jury Demand code – no selection;. Re–file the document using the event type Civil Cover Sheet found under the event list Other Documents and attach the correct PDF. Use civil cover sheet issued by S.D.N.Y. dated June 2017. The S.D.N.Y. Civil Cover Sheet dated June 2017 is located at http://nysd.uscourts.gov/file/forms/civil–cover–sheet.. (jgo) (Entered: 06/25/2019)
06/25/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (jgo) (Entered: 06/25/2019)
06/25/2019		Magistrate Judge Kevin Nathaniel Fox is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (jgo) (Entered: 06/25/2019)
06/25/2019		Case Designated ECF. (jgo) (Entered: 06/25/2019)
06/25/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Matthew Keith Handley to RE–FILE Document No. <u>5</u> Request for Issuance of Summons, <u>6</u> Request for Issuance of Summons, <u>4</u> Request for Issuance of Summons, <u>3</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): party name on the PDF 'To' section does not exactly match initial pleading caption; second party name on the PDF 'To' section must include 'care of c/o' or 'via';. Re–file the

		document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (jgo) (Entered: 06/25/2019)
06/25/2019	<u>9</u>	CIVIL COVER SHEET filed. (Handley, Matthew) (Entered: 06/25/2019)
06/25/2019	<u>10</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Homeland Security, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) (Entered: 06/25/2019)
06/25/2019	<u>11</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Immigration and Customs Enforcement, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) (Entered: 06/25/2019)
06/25/2019	<u>12</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of State, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) (Entered: 06/25/2019)
06/25/2019	<u>13</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Citizenship and Immigration Services, re: <u>1</u> Complaint,. Document filed by Adhikaar, New York Immigration Coalition. (Handley, Matthew) (Entered: 06/25/2019)
06/26/2019	<u>14</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Homeland Security. (dnh) (Entered: 06/26/2019)
06/26/2019	<u>15</u>	ELECTRONIC SUMMONS ISSUED as to United States Immigration and Customs Enforcement. (dnh) (Entered: 06/26/2019)
06/26/2019	<u>16</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of State. (dnh) (Entered: 06/26/2019)
06/26/2019	<u>17</u>	ELECTRONIC SUMMONS ISSUED as to United States Citizenship and Immigration Services. (dnh) (Entered: 06/26/2019)
07/09/2019	<u>18</u>	NOTICE OF INITIAL CONFERENCE: Initial Conference set for 9/5/2019 at 03:00 PM in Courtroom 12C, 500 Pearl Street, New York, NY 10007 before Judge Gregory H. Woods. (As further set forth in this order) (Signed by Judge Gregory H. Woods on 7/9/2019) (ne) (Entered: 07/09/2019)
07/10/2019	<u>19</u>	SUMMONS RETURNED EXECUTED Summons and Complaint, served. United States Citizenship and Immigration Services served on 7/3/2019, answer due 7/24/2019; United States Department of Homeland Security served on 7/3/2019, answer due 7/24/2019; United States Department of State served on 7/3/2019, answer due 7/24/2019; United States Immigration and Customs Enforcement served on 7/3/2019, answer due 7/24/2019. Service was made by MAIL. Document filed by Adhikaar; New York Immigration Coalition. (Handley, Matthew) (Entered: 07/10/2019)
07/19/2019	<u>20</u>	NOTICE OF APPEARANCE by Jennifer Ann Jude on behalf of United States Citizenship and Immigration Services, United States Department of Homeland Security, United States Department of State, United States Immigration and Customs Enforcement. (Jude, Jennifer) (Entered: 07/19/2019)
07/22/2019	<u>21</u>	ORDER: It is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before the Magistrate Judge, counsel for the defendants must, within one week of the date of this order file on ECF a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this order (and also available at http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge); and as further set forth herein. SO ORDERED. (Signed by Judge Gregory H. Woods on 7/22/2019) (anc) (Entered: 07/22/2019)
07/29/2019	<u>22</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>1</u> Complaint, <i>and Statement of Parties regarding Referral to Designated Magistrate Judge</i> addressed to Judge Gregory H. Woods from Jennifer Jude dated 7/29/19. Document filed by United States Citizenship and Immigration Services, United States Department of Homeland Security, United States Department of State, United States Immigration and Customs Enforcement.(Jude, Jennifer) (Entered: 07/29/2019)

07/29/2019	<u>23</u>	ORDER granting <u>22</u> Letter Motion for Extension of Time to File Response/Reply. Application granted. The deadline for Defendants to answer or otherwise respond to the complaint is extended to August 23, 2019. (Signed by Judge Gregory H. Woods on 7/29/2019) (mro) (Entered: 07/30/2019)
07/29/2019		Set/Reset Deadlines: United States Citizenship and Immigration Services answer due 8/23/2019; United States Department of Homeland Security answer due 8/23/2019; United States Department of State answer due 8/23/2019; United States Immigration and Customs Enforcement answer due 8/23/2019. (mro) (Entered: 07/30/2019)
08/21/2019	<u>24</u>	ORDER. Due to a conflict on the Court's calendar, the initial pre-trial conference currently scheduled for September 5, 2019 is adjourned to September 13, 2019 at 11:30 a.m. The proposed case management plan and joint letter described in the Court's July 9, 2019 order are due no later than September 6, 2019. (HEREBY ORDERED by Judge Gregory H. Woods on August 21, 2019) (Text Only Order)(Daniels, Anthony) (Entered: 08/21/2019)
08/23/2019	<u>25</u>	ANSWER to <u>1</u> Complaint,. Document filed by United States Citizenship and Immigration Services, United States Department of Homeland Security, United States Department of State, United States Immigration and Customs Enforcement.(Jude, Jennifer) (Entered: 08/23/2019)
09/06/2019	<u>26</u>	LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated September 6, 2019 re: Joint Initial Status Report. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 09/06/2019)
09/13/2019		Minute Entry for proceedings held before Judge Gregory H. Woods: Initial Pretrial Conference held on 9/13/2019. (Court Reporter Lisa Smith) (Daniels, Anthony) (Entered: 09/13/2019)
09/16/2019	<u>27</u>	ORDER. As discussed during the initial pre-trial conference held on September 13, 2019, the Court will hold a telephone conference to discuss further scheduling in this matter on September 30, 2019 at 2:30 p.m. The parties are directed to call Chambers (212-805-0296) at that time with all parties on the line. The parties are further directed to submit a joint letter detailing their respective views regarding scheduling by no later than September 26, 2019. (HEREBY ORDERED by Judge Gregory H. Woods on September 16, 2019) (Text Only Order)(Daniels, Anthony) (Entered: 09/16/2019)
09/26/2019	<u>28</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated 9/26/2019 re: Response to Court Order Regarding Scheduling. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 09/26/2019)
09/30/2019	<u>29</u>	LETTER addressed to Judge Gregory H. Woods from Jennifer Jude dated 9/30/19 re: Agency Declarations Concerning Processing Rates. Document filed by United States Citizenship and Immigration Services, United States Department of State, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit Declaration of Eric F. Stein, # <u>2</u> Exhibit Declaration of Jill A. Eggleston, # <u>3</u> Exhibit Declaration of Toni Fuentes)(Jude, Jennifer) (Entered: 09/30/2019)
09/30/2019		Minute Entry for proceedings held before Judge Gregory H. Woods: Telephone Conference held on 9/30/2019. (Court Reporter Paula Speer) (Daniels, Anthony) (Entered: 10/01/2019)
10/01/2019	<u>30</u>	ORDER. As discussed during the telephone conference held on September 30, 2019, Defendants United States Department of State and United States Immigration and Customs Enforcement are directed to produce the index referenced in the parties' September 26, 2019 joint letter by no later than November 4, 2019. The parties are directed to submit a joint letter by no later than October 7, 2019 detailing the status of their discussions regarding search terms and custodians for electronic databases with respect to productions by all Defendants, and with respect to the general categories of documents comprising the 2,300 potentially responsive documents identified by Defendant United States Citizenship and Immigration Services. (HEREBY ORDERED by Judge Gregory H. Woods on October 1, 2019) (Text Only Order)(Daniels, Anthony) (Entered: 10/01/2019)
10/07/2019	<u>31</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated October 7, 2019 re: Response to October 1, 2019 Court Order. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 10/07/2019)

10/08/2019	<u>32</u>	MEMO ENDORSEMENT: on re: <u>31</u> Letter filed by New York Immigration Coalition, Adhikaar. ENDORSEMENT: Application granted. The parties are directed to provide the Court with a joint status letter by no later than October 16, 2019. SO ORDERED. (Signed by Judge Gregory H. Woods on 10/08/2019) (ama) (Entered: 10/08/2019)
10/16/2019	<u>33</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated October 16, 2019 re: Response to October 8, 2019 Court Order. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 10/16/2019)
10/16/2019	<u>34</u>	MEMO ENDORSEMENT on re: <u>33</u> Letter Response to October 8, 2019 Court Order filed by New York Immigration Coalition, Adhikaar. ENDORSEMENT: Application granted. The parties are directed to provide the Court with an updated joint status letter by no later than October 25, 2019. SO ORDERED. (Signed by Judge Gregory H. Woods on 10/16/19) (yv) (Entered: 10/17/2019)
10/26/2019	<u>35</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated October 26, 2019 re: Response to October 17, 2019 Court Order. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 10/26/2019)
10/27/2019	<u>36</u>	MEMO ENDORSEMENT on re: <u>35</u> Letter filed by New York Immigration Coalition, Adhikaar. ENDORSEMENT: Application granted. The parties are directed to provide the Court with an updated joint status letter by no later than November 18, 2019. (Signed by Judge Gregory H. Woods on 10/27/2019) (mro) (Entered: 10/28/2019)
11/18/2019	<u>37</u>	JOINT LETTER addressed to Judge Gregory H. Woods from Matthew Handley dated November 18, 2019 re: Updated Joint Status Letter. Document filed by Adhikaar, New York Immigration Coalition.(Handley, Matthew) (Entered: 11/18/2019)